

DOCKET NUMBER T-37161 - TRI-STATE ENVIRONMENTAL, LLC, EX PARTE. IN RE: APPLICATION FOR A COMMON CARRIER CERTIFICATE OF NON-HAZARDOUS OILFIELD WASTE, NON-HAZARDOUS INDUSTRIAL SOLID WASTE AND HAZARDOUS WASTE FOR DISPOSAL, STATEWIDE.

DATE OF HEARING: June 11, 2024

ADMINISTRATIVE LAW JUDGE MELISSA FREY

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1 **DOCKET NUMBER T-37161 - TRI-STATE ENVIRONMENTAL, LLC, EX**
2 **PARTE. IN RE: APPLICATION FOR A COMMON CARRIER**
3 **CERTIFICATE OF NON-HAZARDOUS OILFIELD WASTE, NON-**
4 **HAZARDOUS INDUSTRIAL SOLID WASTE AND HAZARDOUS WASTE**
5 **FOR DISPOSAL, STATEWIDE.**

6 **ADMINISTRATIVE LAW JUDGE MELISSA FREY:** Good afternoon. Today
7 is Tuesday, June 11, 2024. I'm Administrative Law Judge Melissa Frey. We're
8 here this afternoon for a hearing in Docket Number T-37161 - Tri-State
9 Environmental, LLC, ex parte. In re: Application for a common carrier certificate
10 of non-hazardous oilfield waste, non-hazardous industrial solid waste, and
11 hazardous waste for disposal, statewide. Would the parties present please make
12 your appearances, starting with the applicant?

13 **MR. TOMMY GILDERSLEEVE:** Yes, Your Honor. Tommy Gildersleeve
14 representing Tri-State Environmental.

15 **JUDGE FREY:** Thank you.

16 **MR. PAUL RACHAL:** Paul Rachal on behalf of Commission Staff.

17 **JUDGE FREY:** Thank you. Would either party wish to make an opening
18 statement this afternoon?

19 **MR. GILDERSLEEVE:** A very brief one, Your Honor.

20 **JUDGE FREY:** You may proceed, Mr. Gildersleeve.

21 **MR. GILDERSLEEVE:** Tri-State Environmental is an established company that
22 supports offshore operations right now, in terms of labor and equipment, and
23 they're seeking to expand their operations to include the hauling of waste, as you

1 noted in the docket, all three types of regulated waste, statewide. And we believe
2 we can show that they will meet the five factors in the Commission's general order
3 and are prepared to do so.

4 **JUDGE FREY:** Thank you, Mr. Gildersleeve. Anything from Staff?

5 **MR. RACHAL:** Nothing from Staff, Your Honor.

6 **JUDGE FREY:** All right. Thank you. Mr. Gildersleeve, you may proceed.

7 **MR. GILDERSLEEVE:** Okay, Your Honor. We call Ryan Gisclair as our first
8 witness.

9 **Ryan Gisclair came forth as a witness; and, after having been duly sworn,**
10 **testified as follows:**

11 **DIRECT EXAMINATION BY MR. TOMMY GILDERSLEEVE**

12 **MR. GILDERSLEEVE:** All right. Mr. Gisclair, can you start off by please
13 stating your full name and business address for the record?

14 **MR. RYAN GISCLAIR:** Sure. Ryan Joseph Gisclair. Business address: 141
15 Thompson Road, Houma, Louisiana 70363.

16 **MR. GILDERSLEEVE:** Okay. And can you briefly describe your background
17 in terms of education and work experience?

18 **MR. GISCLAIR:** Sure. Relevant to work experience as it pertains here, I've
19 worked in oil and gas industry for a little over 20 years, primarily in safety and
20 quality, but also involved in drilling, mud, and pit cleaning operations. Also
21 worked with various operators doing safety audits and inspections, as well as with
22 Tri-State for probably 15 years or so, in their -- really integrated into their
23 operations from a safety and quality aspect.

1 **MR. GILDERSLEEVE:** Okay. Mr. Gisclair, can you take a look at what has
2 been pre-marked as Exhibit A on the witness stand in front of you?
3 **MR. GISCLAIR:** Yes, sir.
4 **MR. GILDERSLEEVE:** And, Your Honor, I've shared copies of this exhibit with
5 yourself, the court reporter, and Staff counsel, as well as your law clerk.
6 **JUDGE FREY:** Thank you.
7 **MR. GISCLAIR:** Did you recognize Exhibit A?
8 **MR. GISCLAIR:** Yes, sir.
9 **MR. GILDERSLEEVE:** Can you please describe what is contained in that
10 exhibit?
11 **MR. GISCLAIR:** Sure. It's our application that we filed for this process.
12 **MR. GILDERSLEEVE:** And it includes several attachments with it as well,
13 correct?
14 **MR. GISCLAIR:** Yes, sir.
15 **MR. GILDERSLEEVE:** Are you the person that filed this application?
16 **MR. GISCLAIR:** Yes, sir.
17 **MR. GILDERSLEEVE:** Can you confirm, based on your review, that that is a
18 complete and accurate copy of the application that you filed?
19 **MR. GISCLAIR:** Yes, sir. It is.
20 **MR. GILDERSLEEVE:** Your Honor, I move that Exhibit A be admitted into
21 evidence. I would ask that Attachment 5 be filed under seal because it contains the
22 company's financial records.

1 **JUDGE FREY:** Just for housekeeping purposes, let's make Exhibit A a public
2 exhibit and separate what was Exhibit 5 to the application as a separate exhibit, for
3 housekeeping purposes.

4 **MR. GILDERSLEEVE:** Okay.

5 **JUDGE FREY:** So we will call the waste by motor vehicle application filed by
6 the applicant on April 11, 2024, with public exhibits or public attachments,
7 Applicant's Exhibit A. Is there any objection to Applicant Exhibit A?

8 **MR. RACHAL:** No objection, Your Honor.

9 **JUDGE FREY:** And then as Applicant's Exhibit A1, it will be --

10 **MR. GILDERSLEEVE:** Exhibit 5 to the application that contains the financial
11 information of the applicant.

12 **JUDGE FREY:** Yes. And I have it as a balance sheet, December 31, 2023 and
13 '22, and statements of operation for the years ended December 31, 2023 and 2022.

14 **MR. GILDERSLEEVE:** Yes, Your Honor.

15 **JUDGE FREY:** And that will be Applicant's Exhibit A1, offered confidential and
16 under seal. Is there any objection to Exhibit A1?

17 **MR. RACHAL:** No objection, Your Honor.

18 **JUDGE FREY:** Applicant's Exhibit A is admitted, in globo. Applicant's Exhibit
19 A1, in globo, is admitted, under seal.

20 **MR. GILDERSLEEVE:** Thank you, Your Honor. Mr. Gisclair, what type of
21 entity is Tri-State Environmental?

22 **MR. GISCLAIR:** Tri-State Environmental is a LLC, a Texas LLC, but also
23 permitted to conduct business in Louisiana.

1 **MR. GILDERSLEEVE:** So you're registered to do business with the Louisiana
2 Secretary of State, correct?

3 **MR. GISCLAIR:** Yes, sir.

4 **MR. GILDERSLEEVE:** And you're in good standing with the Louisiana
5 Secretary of State, correct?

6 **MR. GISCLAIR:** Yes, sir.

7 **MR. GILDERSLEEVE:** Can you turn with me to Attachment 4 of what has been
8 admitted as Exhibit A?

9 **MR. GISCLAIR:** Yes.

10 **MR. GILDERSLEEVE:** Can you describe what is listed in Exhibit 4?

11 **MR. GISCLAIR:** Sure. It is the organizational chart for Tri-State Environmental.

12 **MR. GILDERSLEEVE:** The applicant in this proceeding, correct?

13 **MR. GISCLAIR:** Yes.

14 **MR. GILDERSLEEVE:** And in particular, I note that you were shown as the
15 management analyst and HSE manager for the company; is that your position
16 today?

17 **MR. GISCLAIR:** Yes, sir.

18 **MR. GILDERSLEEVE:** Okay. And Mr. Guillot, who will testify later, I believe,
19 is the company's CFO, correct?

20 **MR. GISCLAIR:** That's correct.

21 **MR. GILDERSLEEVE:** And various other executives and personnel are listed
22 on this chart. Are their positions all correct?

23 **MR. GISCLAIR:** Yes, sir.

1 **MR. GILDERSLEEVE:** Okay. And, if you will, turn back one exhibit or one
2 attachment to Exhibit 3. And can you identify what is contained in that exhibit?
3 **MR. GISCLAIR:** Yes. It's the ownership structure of Tri-State Environmental.
4 **MR. GILDERSLEEVE:** Okay. And the majority owner is Judy Carter, correct?
5 **MR. GISCLAIR:** That's correct.
6 **MR. GILDERSLEEVE:** And then various ownership percentages of the LLC are
7 owned by the people, and they are listed in this chart as well, correct?
8 **MR. GISCLAIR:** Yes, sir.
9 **MR. GILDERSLEEVE:** Do any of these individuals have authority to haul waste
10 -- PSC authority to haul waste?
11 **MR. GISCLAIR:** In another entity? No.
12 **MR. GILDERSLEEVE:** Right.
13 **MR. GISCLAIR:** No.
14 **MR. GILDERSLEEVE:** Okay. Not individually or not associated with another
15 entity that's regulated by the Public Service Commission, correct?
16 **MR. GISCLAIR:** That's correct.
17 **MR. GILDERSLEEVE:** Okay. What type of operations does Tri-State
18 Environmental currently perform?
19 **MR. GISCLAIR:** Currently we -- primarily and historically, Tri-State
20 Environmental has been an offshore drilling, mud, and mud system cleaner on
21 drilling rigs. So our guys go out, they clean the mud systems so that rigs can go
22 from various stages in their drilling process. We've also done that on land.
23 Periodically we have a few other kind of niche pieces that we do, all within the

1 same realm of cleaning. We also now have a dock location in Fourchon. We
2 provide dock services, meaning loading and offloading of vessels for supplies on
3 production platforms, as well as some plant operations where we assist our clients
4 in cleaning their mud systems on their plants.

5 **MR. GILDERSLEEVE:** Okay. Now, referring back to the application you filed,
6 which has been admitted as Exhibit A. Was this application published in the Public
7 Service Commission's Official Bulletin?

8 **MR. GISCLAIR:** Yes.

9 **MR. GILDERSLEEVE:** And were there any protests or interventions?

10 **MR. GISCLAIR:** No.

11 **MR. GILDERSLEEVE:** Are you aware of the PSC requirement that common
12 carriers maintain insurance in the amount of \$250,000 for injury or death to persons,
13 with a \$500,000 incident coverage limit, and \$10,000 in property damage?

14 **MR. GISCLAIR:** Yes, sir.

15 **MR. GILDERSLEEVE:** Okay. Turn with me, if you will, to Attachment 6 of
16 Exhibit A. And once you're there, describe for the court what's depicted in Exhibit
17 6 -- or rather Attachment 6 to Exhibit A.

18 **MR. GISCLAIR:** Sure. It's Tri-State Environmental's certificate of insurance.

19 **MR. GILDERSLEEVE:** Okay. And how much general liability coverage does
20 Tri-State have?

21 **MR. GISCLAIR:** It's a million-dollar coverage, but we also have umbrellas on
22 top of that, total of 24 additional million, so it's 25 total.

1 **MR. GILDERSLEEVE:** And that coverage would apply to all of Tri-State's
2 drivers and equipment, correct?

3 **MR. GISCLAIR:** Yes.

4 **MR. GILDERSLEEVE:** And according to the certificate, this coverage is
5 currently in effect, right?

6 **MR. GISCLAIR:** Yes, sir.

7 **MR. GILDERSLEEVE:** And do you plan to renew it once it expires?

8 **MR. GISCLAIR:** Yes, sir.

9 **MR. GILDERSLEEVE:** What permits does Tri-State currently have from other
10 state agencies or federal regulatory agencies?

11 **MR. GISCLAIR:** Sure. So currently we have all the other required permits for
12 our operations, especially in Fourchon. So EPA permits, we also have LDEQ for
13 our facility. We have a EPA site ID. We also -- DOT numbers as well as motor
14 carrier numbers.

15 **MR. GILDERSLEEVE:** Yeah. And that's a good point to clarify. You have a
16 separate DOT and motor carrier number for Tri-State Environmental, correct?

17 **MR. GISCLAIR:** Yes, that's correct.

18 **MR. GILDERSLEEVE:** That you obtained after filing this application?

19 **MR. GISCLAIR:** Yes.

20 **MR. GILDERSLEEVE:** Okay. If the authority you're seeking in this application
21 is granted, do you intend to comply with all the rules and regulations of the Public
22 Service Commission?

23 **MR. GISCLAIR:** Yes.

1 **MR. GILDERSLEEVE:** Are you aware of the PSC requirement to register
2 vehicles every year?

3 **MR. GISCLAIR:** Yes, sir.

4 **MR. GILDERSLEEVE:** Are you aware of the PSC requirement to file annual
5 reports?

6 **MR. GISCLAIR:** Yes.

7 **MR. GILDERSLEEVE:** Are you aware that you're required to file or pay
8 inspection and supervision fees?

9 **MR. GISCLAIR:** Yes.

10 **MR. GILDERSLEEVE:** If the authority is granted, who will be the company's
11 primary point of contact with the Public Service Commission?

12 **MR. GISCLAIR:** It'd be myself.

13 **MR. GILDERSLEEVE:** If you later determine that you need any additional
14 permits from federal or state authorities, are you prepared to obtain them?

15 **MR. GISCLAIR:** Yes, sir.

16 **MR. GILDERSLEEVE:** Do you have responsibility for the company's safety
17 program?

18 **MR. GISCLAIR:** Yes.

19 **MR. GILDERSLEEVE:** Turn with me, if you will, to Attachment 7 to Exhibit A.
20 And can you identify what is depicted in Exhibit 7?

21 **MR. GISCLAIR:** Sure. It's our HSE management system, our table of contents
22 for that document.

1 **MR. GILDERSLEEVE:** And we've also included a full copy of the safety manual
2 on a thumb drive that is included in with -- excuse me, that is included in that
3 exhibit, correct?

4 **MR. GISCLAIR:** That's right.

5 **MR. GILDERSLEEVE:** Just on a high level, based on the table of contents, can
6 you summarize the topics that are covered in the company's safety manual?

7 **MR. GISCLAIR:** Sure. From a management level, it goes through our
8 commitment as a company to provide a safe work place for our employees. We
9 also cover incident management procedures; alcohol and drug; substance abuse
10 policies; our environmental policies and concerns; all of our OSHA required topics
11 that we have to have policy on and implement in the company; our training
12 program; what's required of our employees based on job titles; all our emergency
13 preparedness; our spill plans for our facility in Fourchon; as well as our SOPs, our
14 standard operating procedures, as they are relevant to our work.

15 **MR. GILDERSLEEVE:** Okay. And is this manual something that is made
16 available to all employees?

17 **MR. GISCLAIR:** Yes.

18 **MR. GILDERSLEEVE:** Are all employees required to read and understand the
19 manual?

20 **MR. GISCLAIR:** Yes.

21 **MR. GILDERSLEEVE:** Do you conduct training related to the topics covered in
22 the safety manual with your employees?

23 **MR. GISCLAIR:** Yes.

1 **MR. GILDERSLEEVE:** Are you audited by your clients or customers to
2 determine your compliance with various safety regulations?

3 **MR. GISCLAIR:** Yes.

4 **MR. GILDERSLEEVE:** And are you the person at the company that's
5 responsible for facilitating those audits?

6 **MR. GISCLAIR:** Yes.

7 **MR. GILDERSLEEVE:** And you receive results from the customers regarding
8 those audits, correct?

9 **MR. GISCLAIR:** Yes, sir.

10 **MR. GILDERSLEEVE:** Based on those audits, how would you say the company
11 sits in terms of its compliance with safety requirements?

12 **MR. GISCLAIR:** Sure. To specifically answer your question, we've never
13 quote/unquote failed an audit, we passed them all. We also are part of an online
14 system that all our clients require us to do, that do periodic checks on us, and that's
15 ISNetworld is the name of it. And it's kind of a depository for all of their
16 contractors, and they kind of score us, depending on what our clients require, so
17 you're rated as either green or it's a letter system, you know, A, B, C, D, F. And
18 we maintain all As and greens in there, so that's also part of their audit process.

19 **MR. GILDERSLEEVE:** Okay. And in addition to that, I understand you also use
20 a third-party safety consultant that conducts audits and reviews of your operations,
21 correct?

1 **MR. GISCLAIR:** Yeah, we do. Just to have a third party assess what we're doing,
2 so they review our stuff annually as well as help us out with certain small tasks that
3 we need from a reporting standpoint.

4 **MR. GILDERSLEEVE:** Okay. And have you, and by you, I mean the applicant.
5 Have you ever been asked to leave a job site due to safety concerns?

6 **MR. GISCLAIR:** No, sir.

7 **MR. GILDERSLEEVE:** Okay. Have you received any complaints from
8 customers about your drivers?

9 **MR. GISCLAIR:** No.

10 **MR. GILDERSLEEVE:** Have you received any complaints from the general
11 public about your drivers?

12 **MR. GISCLAIR:** No, sir.

13 **MR. GILDERSLEEVE:** Are there any pending regulatory violations of any type
14 against the company?

15 **MR. GISCLAIR:** No.

16 **MR. GILDERSLEEVE:** Do you conduct safety meetings?

17 **MR. GISCLAIR:** Yes, sir.

18 **MR. GILDERSLEEVE:** Can you describe those, please?

19 **MR. GISCLAIR:** Sure. With the way our operations are with our crews offshore
20 a lot and at our Fourchon facility, the way we do it is not, I guess, not the traditional,
21 you know, a meeting a month type situation. I distribute information to our
22 supervisors and they conduct the meetings on job sites, you know, between hitches
23 and whatnot with the crews while they're on various jobsites, offshore and on land.

1 **MR. GILDERSLEEVE:** And what sort of topics are discussed?

2 **MR. GISCLAIR:** They can range, anything from, you know, if we have any
3 pertinent things that are happening right now, if we had any -- on some of the other
4 facilities that we're on, if they had incidents that we feel or that I feel are relevant
5 or could be precautionary for our guys, we'd cover those. And then OSHA requires
6 us to cover certain topics every year, so you have hazard communications, you have
7 access to medical records, you have fall protection, blood borne pathogen; there's
8 a list of them that we have to cover, so we cover all of those.

9 **MR. GILDERSLEEVE:** Okay. Does Tri-State have a drug and alcohol policy?

10 **MR. GISCLAIR:** Yes, sir.

11 **MR. GILDERSLEEVE:** Can you describe that for us, please?

12 **MR. GISCLAIR:** Sure. Our drug and alcohol policy is a zero tolerance policy.
13 So essentially what that means is if one of our employees fails a drug screen, then
14 they're terminated for that. The program also encompasses pre-employment drug
15 screens. We do pre-employment drug screens on all employees, regardless of
16 position, following the various regulations that we have to, so drivers are on the
17 Federal Motor Carrier side and DOT. Our other employees, we're a part of a
18 consortium or a few consortiums that our operators require us to be where they have
19 certain protocols that they have to go through, so we follow those also. We have
20 pre-employment, all of our employees are on various random pools, post-accident,
21 reasonable suspicion, follow-ups. If there's things that are already prescribed on
22 that person from previous jobs, if they're in those consortiums with that, it doesn't

1 mean that they're disqualified from being hired, but they still have to be clean going
2 forward, we just have to follow those processes.

3 **MR. GILDERSLEEVE:** Does the company have a cell phone policy?

4 **MR. GISCLAIR:** Yes.

5 **MR. GILDERSLEEVE:** Can you tell us what that is?

6 **MR. GISCLAIR:** Sure. For drivers specifically, we do not allow cell phones,
7 hand-held cell phones. When it comes to hands-free devices, technically the policy
8 says there are, but there are certain stipulations that make them not allowed,
9 meaning that, you know, we have to approve of them, and we don't approve of any
10 of them, so no hand-held and no hands-free.

11 **MR. GILDERSLEEVE:** Are you the one at the company charged with enforcing
12 both of these policies, the drug and alcohol policy and the cell phone policy?

13 **MR. GISCLAIR:** Yeah, from a high-level, yes. Our supervisors on a lower lever
14 are responsible, too.

15 **MR. GILDERSLEEVE:** So you would know if the company's complying with
16 these policies, correct?

17 **MR. GISCLAIR:** Yes.

18 **MR. GILDERSLEEVE:** And it is, correct?

19 **MR. GISCLAIR:** Correct.

20 **MR. GILDERSLEEVE:** You assisted or provided the information needed to
21 respond to various data requests that the company received from the Commission
22 in this matter, correct?

23 **MR. GISCLAIR:** Yes.

1 **MR. GILDERSLEEVE:** Can I get you to take a look at what has been pre-marked
2 as Exhibit B? Should be on the witness stand before you. And can you describe
3 what is depicted in this exhibit?

4 **MR. GISCLAIR:** Looks like our answers to the data requests that were submitted
5 to us and all the attachments, therein.

6 **MR. GILDERSLEEVE:** And can you thumb through Exhibit B and make sure
7 it's a true and accurate copy of your responses?

8 **MR. GISCLAIR:** Yes, sir. It looks that way.

9 **MR. GILDERSLEEVE:** Your Honor, I would move to admit Exhibit B into
10 evidence, minus the financial data that is attached at the back of this exhibit that I'll
11 offer separately.

12 **JUDGE FREY:** Okay. And just for reference, where is the financial data?
13 Because in the copy I have, I'm not --

14 **MR. GILDERSLEEVE:** There's a blue divider. It's the last -- it's a supplemental
15 response, it's the last few pages of Exhibit B, after the blue divider.

16 **JUDGE FREY:** Okay. Thank you. I appreciate that. Any objection?

17 **MR. RACHAL:** No objection, Your Honor.

18 **JUDGE FREY:** Applicant's Exhibit B, Tri-State Environmental, LLC's response
19 to LPSC Staff's first set of data requests, with public attachments, is admitted as
20 Applicant's Exhibit B, in globo.

21 **MR. GILDERSLEEVE:** And Mr. Gisclair, can you turn and review the
22 supplemental responses to the first set of data requests that are included after the
23 blue divider and identify what is shown there?

1 **MR. GISCLAIR:** Sure. So yeah, we had some supplemental requests, our
2 financials from January to March of this year are included here.

3 **MR. GILDERSLEEVE:** Okay. And Mr. Guillot is going to discuss those later,
4 but can you just confirm that that is an accurate copy of the fourth quarter -- excuse
5 me, the first quarter financials for 2024 that you provided to include in the responses
6 to the data request?

7 **MR. GISCLAIR:** Yes, it is.

8 **MR. GILDERSLEEVE:** Your Honor, I move the supplemental responses
9 containing the applicant's financial information for the first quarter of 2024 be
10 admitted into evidence, confidentially, under seal, pursuant to Rule 12.1 because
11 they contain confidential financial data.

12 **JUDGE FREY:** Any objection from the Staff?

13 **MR. RACHAL:** No objection, Your Honor.

14 **JUDGE FREY:** We will label it Applicant's Exhibit C, in globo, and it is admitted
15 under seal, Tri-State Environmental supplemental responses with confidential
16 financial data.

17 **MR. GILDERSLEEVE:** Okay. And Mr. Gisclair, you received the second set of
18 data requests from the Public Service Commission, correct?

19 **MR. GISCLAIR:** Yes, sir.

20 **MR. GILDERSLEEVE:** And if you'll turn with me to the next set of documents
21 in the packet before you, it is pre-marked as Exhibit C, but we're going to offer it
22 as Exhibit D here in a moment. Can you identify that document that is titled Tri-
23 State Environmental's responses to LPSC Staff's second set of data requests?

1 **MR. GISCLAIR:** Yes. That is what it is.

2 **MR. GILDERSLEEVE:** Okay. And in looking at the responses, can you confirm
3 that these are true and accurate copies of the responses you provided?

4 **MR. GISCLAIR:** Yes, sir. They are.

5 **MR. GILDERSLEEVE:** And this exhibit also contains some supporting
6 documents that were produced with the responses, correct?

7 **MR. GISCLAIR:** That's correct.

8 **MR. GILDERSLEEVE:** Your Honor, I move that the exhibit the witness has just
9 identified be admitted into evidence as Exhibit D.

10 **JUDGE FREY:** Any objection?

11 **MR. RACHAL:** No objection, Your Honor.

12 **JUDGE FREY:** Applicant's Exhibit D, Tri-State Environmental, LLC's responses
13 to LPSC Staff's second set of data requests, with attachments, is admitted as an in
14 globo exhibit.

15 **MR. GILDERSLEEVE:** Mr. Gisclair, is there anything else about the application
16 you would like to tell the tribunal?

17 **MR. GISCLAIR:** No, sir. The only thing that I wanted to just address real quick
18 is a answer to the second set of requests. We were asked about the two entities that
19 -- Tri-State Environmental and Tri-State Transportation, and there was some
20 discrepancy there or a question asked about the DOT numbers being in
21 Transportation -- Tri-State Transportation as opposed to Environmental. Because
22 there was any question there, we went ahead and received DOT and motor carrier
23 numbers for Tri-State Environmental. Presently, the vehicles are owned by

1 Transportation. We'll lease them from there initially until we can transfer all the
2 titles over to Tri-State Environmental.

3 **MR. GILDERSLEEVE:** All right. Thank you, Mr. Gisclair. I don't have any
4 further questions for this witness, Your Honor.

5 **JUDGE FREY:** Thank you. Staff, cross-examination?

6 **CROSS-EXAMINATION BY MR. PAUL RACHAL**

7 **MR. RACHAL:** Good afternoon.

8 **MR. GISCLAIR:** Afternoon.

9 **MR. RACHAL:** Can you tell us, for the record, when the company was formed,
10 when and where?

11 **MR. GISCLAIR:** The company was formed in 2007 in the state of Texas.

12 **MR. RACHAL:** And where is the company corporate location?

13 **MR. GISCLAIR:** In Houma, Louisiana.

14 **JUDGE FREY:** Excuse me. Mr. Rachal, can you please make sure your mic --

15 **MR. RACHAL:** Sorry about that.

16 **MR. GISCLAIR:** Houma, Louisiana.

17 **MR. RACHAL:** Can you, for the record, give us that address, please?

18 **MR. GISCLAIR:** Sure. In Houma, it's 141 Thompson Road, Houma, Louisiana
19 70363.

20 **MR. RACHAL:** And does Tri-State cross state lines with waste? Will?

21 **MR. GISCLAIR:** No, sir

22 **MR. RACHAL:** No?

23 **MR. GISCLAIR:** No, sir.

1 **MR. RACHAL:** Does Tri-State operate in any other states?

2 **MR. GISCLAIR:** No, not currently.

3 **MR. RACHAL:** And how many employees does Tri-State have?

4 **MR. GISCLAIR:** Roughly 83, I believe.

5 **MR. RACHAL:** And they're all located in Louisiana?

6 **MR. GISCLAIR:** Yes.

7 **MR. RACHAL:** And how many of those employees are drivers?

8 **MR. GISCLAIR:** Six.

9 **MR. RACHAL:** And does the company anticipate hiring any additional
10 employees, if authority is granted?

11 **MR. GISCLAIR:** Yes. Hopefully.

12 **MR. RACHAL:** And how many terminals does the company operate?

13 **MR. GISCLAIR:** One.

14 **MR. RACHAL:** And where is that terminal located?

15 **MR. GISCLAIR:** It's in Port Fourchon.

16 **MR. RACHAL:** Do you know the address?

17 **MR. GISCLAIR:** Yes.

18 **MR. RACHAL:** Can you --

19 **MR. GISCLAIR:** Sure. It's 512 Dudley Bernard Road, Golden Meadow,
20 Louisiana 70357.

21 **MR. RACHAL:** And are the trucks dispatched from this location?

22 **MR. GISCLAIR:** Yes.

23 **MR. RACHAL:** And does the company plan to add any terminals?

1 **MR. GISCLAIR:** Not currently, no.

2 **MR. RACHAL:** Does the company intend to submit a saltwater application?

3 **MR. GISCLAIR:** No, sir.

4 **MR. RACHAL:** Do you understand if the company intends on filing an
5 application to transport waste -- that the transport waste identified as 01 Saltwater
6 on the UIC 28 manifest?

7 **MR. GISCLAIR:** I'm sorry. When you stopped, I lost you. Sorry.

8 **MR. RACHAL:** I'm sorry. Do you understand you have to have a saltwater?

9 **MR. GISCLAIR:** Yes.

10 **MR. RACHAL:** Okay. Got it. And does the company currently possess any other
11 LPSC certificates?

12 **MR. GISCLAIR:** No, sir.

13 **MR. RACHAL:** Going back to the safety part of the company, what is the hiring
14 process of Tri-State?

15 **MR. GISCLAIR:** All right. So for varying positions, so if it's one of our offshore
16 employees or laborers, I guess, you would have your application process along with
17 drug screen and physical, and a physical is done -- we work with a clinic and have
18 a -- they understand what we do, so they put the guys through a physical
19 demonstration, I guess, so that they can make sure that they can perform. Once
20 that's complete and everything is passed, our employees go through training.
21 Depending on what they may have that we would accept, or what they don't have,
22 so we put them through that water survival, fall protection, confined space training,
23 and a few others. For our drivers, it's a little different process, because it's

1 regulated on the DOT side. We work with a third-party consultant who assists us
2 during the hiring process to kind of make sure we have all the documents correct
3 and everything is entered into the relevant systems that we need to, but essentially,
4 it's, you know, application, drug screen, it's a different type of drug screen, of
5 course, because it's regulated differently. We only hire drivers who are already
6 CDL drivers, so we don't have to go through that process. They already have
7 experience, we don't hire new ones, so we do the relevant background checks on
8 that stuff, MVRs and whatnot. And training, as far as local site training, they would
9 go through a couple weeks down at our location in Fourchon, ride with someone,
10 learn the trucks, learn the processes, the locations, what we do on the side that
11 they're not doing. So, you know, as the truck drivers, they're not getting in tanks
12 and whatnot, but they need to understand those operations, so we put them through
13 kind of a on-the-job training there. I think that's it. After that, they would kind of
14 be released to work.

15 **MR. RACHAL:** Is there a minimum years of experience for the truck drivers or
16 any of the other employees?

17 **MR. GISCLAIR:** We like to have two years, at least, and that's kind of two-fold,
18 one for us, and two for our insurance purposes. Two years is where we like to keep
19 it.

20 **MR. RACHAL:** And you mentioned a third party that helps with the hiring
21 process. Can you tell us the name of the third party?

22 **MR. GISCLAIR:** Yeah. It's TCI -- I'm sorry, TCS. I'm sorry. And they're out
23 of Mississippi.

1 **MR. RACHAL:** And who provides the drug and alcohol screening?

2 **MR. GISCLAIR:** As far -- I don't understand.

3 **MR. RACHAL:** Like who gives the tests or --

4 **MR. GISCLAIR:** We sent them to our company doctor, the one that does our

5 physicals. They use a third-party MRO service and then report it to the -- like for

6 the drivers, report it to the Clearinghouses and whatnot. For our offshore workers,

7 there's consortium chain-of-custodies that we have to follow.

8 **MR. RACHAL:** When you mentioned safety meetings, so job site meetings, so

9 there's no -- there's a weekly tailgate?

10 **MR. GISCLAIR:** No. Well, I mean, you could call it those, but the way our

11 workers work, we never have them all in one location. So our guys don't work

12 hitch work, as traditional, they work job to job. So in the past, when we have had

13 enough guys home all at the same time, then, yeah, we try to have a meeting at that

14 point, but otherwise we're just not able to do it that way, so we try to do it in other

15 ways to get that information across.

16 **MR. RACHAL:** And are the safety meetings documented and where are they

17 kept?

18 **MR. GISCLAIR:** We keep them electronically on our server.

19 **MR. RACHAL:** Have there been any incidents or claims against drivers or

20 insurance or workers' comp claims?

21 **MR. GISCLAIR:** No, sir.

22 **MR. RACHAL:** And who is the full-time safety manager?

23 **MR. GISCLAIR:** Myself.

1 **MR. RACHAL:** And you mentioned the company being a part of ISNetwork. Is
2 the company a part of any other safety networks?

3 **MR. GISCLAIR:** No.

4 **MR. RACHAL:** Will the company join any, if asked?

5 **MR. GISCLAIR:** Yes.

6 **MR. RACHAL:** Are you aware of the LPSC requirement to keep insurance on
7 file at all times by filing a Form E?

8 **MR. GISCLAIR:** Yes, sir.

9 **MR. RACHAL:** Are you aware of the LPSC requirement to get prior approval to
10 sell or lease certificates?

11 **MR. GISCLAIR:** Yes.

12 **MR. RACHAL:** Are you aware of the LPSC requirement to get prior approval for
13 any change in ownership?

14 **MR. GISCLAIR:** Yes.

15 **MR. RACHAL:** Are you aware of the LPSC requirement to keep all contact info
16 current?

17 **MR. GISCLAIR:** Yes.

18 **MR. RACHAL:** And can you confirm the company's reporting year as a calendar
19 year?

20 **MR. GISCLAIR:** Yes, sir.

21 **MR. RACHAL:** No further questions, Your Honor.

22 **JUDGE FREY:** Thank you. Mr. Gisclair, I just have a few clarifying questions,
23 and if I repeat information back to you in my question that is not correct, please set

1 me straight, but I'm just going off things I might have heard, and may not have
2 heard correctly.

3 **MR. GISCLAIR:** All right.

4 **JUDGE FREY:** How many years have you been employed by the applicant?

5 **MR. GISCLAIR:** So as an employee, since 2019, so five years. Prior to that, for
6 about 12 years, I was as a consultant to them and handled their safety program.
7 Prior to that, the owners -- or the majority owners of Tri-State and myself, we
8 worked together for a company.

9 **JUDGE FREY:** For a different company?

10 **MR. GISCLAIR:** Yeah. Sorry.

11 **JUDGE FREY:** And how many years have you been in your current position?

12 **MR. GISCLAIR:** As an HSE professional, 18. Not with Tri-State, but with
13 various other. As I was a consultant, I've worked for multiple companies.

14 **JUDGE FREY:** Thank you. Mr. Rachal asked you if you understood that you
15 would need a saltwater permit. Just for clarification, you currently do not have a
16 saltwater permit from the Commission nor is there a pending application for one;
17 is that correct?

18 **MR. GISCLAIR:** No, ma'am. That's correct.

19 **JUDGE FREY:** And you understand that if you were to transport saltwater, then
20 you would need to first obtain a permit?

21 **MR. GISCLAIR:** Yes, ma'am. Yes.

22 **JUDGE FREY:** You mentioned a company called Tri-State Transportation. Just
23 explain to me who that company is and what their relationship is to the applicant.

1 **MR. GISCLAIR:** So in years past, Tri-State Environmental opened a
2 transportation company. At the time, I believe we were going to look at having a
3 trucking division to do other things. Tri-State Transportation is wholly owned by
4 Tri-State Environmental, so any time we needed trucks that we were able to do
5 anything for with hauling equipment or whatnot, Environmental would lease them
6 from Transportation. With our new operations, it's kind of, you know,
7 Transportation kind of sat and really didn't have anything other than ownership of
8 the original trucks that we had, but now with the new ones, we don't see the need
9 or the benefit of having it separate, so we need to have it all as one. But
10 Transportation was there for that purpose.

11 **JUDGE FREY:** And apologies if this is repetitive, but what is the reason for
12 requesting this certificate? How is that going to feather in to the business plan?

13 **MR. GISCLAIR:** Sure. In our Fourchon operations, one of the components of
14 that -- well, two of the components to that are working for some of our clients,
15 cleaning their mud systems, and pits and tanks and whatnot; and in some instances,
16 there is disposal that's needed there. Also we have plans and are setting up to do
17 boat cleaning and barge cleaning at our facility. So with that being said, as we
18 clean those barges, you have product that needs to be sent to disposal, so that was
19 the reason why we went down this path.

20 **JUDGE FREY:** I believe Mr. Rachal asked you if you planned to hire any
21 additional employees if the requested authority is granted, and I believe you
22 indicated that is affirmative. How many additional employees or drivers would you
23 anticipate hiring?

1 **MR. GISCLAIR:** I couldn't tell you exactly, but as business increases, you know,
2 you're looking at two drivers per vehicle, so if we ever, you know, for every vehicle
3 that we would -- or every truck that we would -- hopefully, we can get two or three
4 more based on business, so that would be another six on top of that.

5 **JUDGE FREY:** And I believe you were asked about whether you have any
6 pending regulatory violations. I believe you answered that not to your knowledge.

7 **MR. GISCLAIR:** No, ma'am.

8 **JUDGE FREY:** Okay. And you're only operating in the state of Louisiana,
9 correct?

10 **MR. GISCLAIR:** That's correct.

11 **JUDGE FREY:** With regard to the safety manual that you discussed, are
12 employees required to sign an acknowledgement that they've received it?

13 **MR. GISCLAIR:** Yes, and that they know where it's at. That's correct.

14 **JUDGE FREY:** And those forms are kept by the applicant?

15 **MR. GISCLAIR:** Well, we have a copy of the acknowledgment, of course. We
16 give them a handbook at hire, which is a high-level overview of everything. We
17 have some online systems that everyone has access to, and the HSE manual is
18 located there. So when they sign off the acknowledgment, they sign off that they've
19 been presented with the handbook, they understand where to find the manuals, that
20 kind of stuff, and how to utilize them.

21 **JUDGE FREY:** You discussed some customer safety audits that have taken place.
22 Can you give me an approximation of how many different customers have audited

1 the applicant and the total number of customer audits estimated that the applicant
2 has been through?

3 **MR. GISCLAIR:** We usually have -- in a normal year, you'd probably have two
4 because they're usually done at contract renewal, and, you know, contracts, they
5 renew at many different stages, but I would say, you know, at least twice a year.
6 And since I've been involved with them, it's been twice a year every year, so it's
7 probably ten since I've been a full-time employee, and countless more before that.
8 So all of our off-shore clients do it as a part of the contract process.

9 **JUDGE FREY:** Thank you. That's all the questions I have. Do you have any
10 redirect, Mr. Gildersleeve?

11 **MR. GILDERSLEEVE:** I do not, Your Honor.

12 **JUDGE FREY:** Thank you. If there is nothing further, you may step down, Mr.
13 Gisclair.

14 **MR. GISCLAIR:** Thank you.

15 **MR. GILDERSLEEVE:** For our next witness, Your Honor, we call Michael
16 Guillot.

17 **Michael Guillot came forth as a witness; and, after having been duly sworn,**
18 **testified as follows:**

19 **DIRECT EXAMINATION BY MR. TOMMY GILDERSLEEVE**

20 **MR. GILDERSLEEVE:** Good afternoon, Mr. Guillot. Can you please give us
21 your full name and business address for the record?

22 **MR. MICHAEL GUILLOT:** Michael Andrew Guillot, 141 Thompson Road,
23 Houma, Louisiana 70363.

1 **MR. GILDERSLEEVE:** Give us a description of your background in terms of
2 education and work experience.

3 **MR. GUILLOT:** I have a Bachelor's in science from Nicholls State University. I
4 have my CPA license as well. I worked in public accounting for ten years prior to
5 working at Tri-State Environmental as their internal CPA and CFO, in December
6 of 2018.

7 **MR. GILDERSLEEVE:** Okay. And so is that your current role at Tri-State,
8 you're the CFO?

9 **MR. GUILLOT:** Yes.

10 **MR. GILDERSLEEVE:** What does that work entail, generally speaking?

11 **MR. GUILLOT:** Just financial statement preparation and review and just the
12 working with banks and making sure we have capital, dealing with HR, payroll,
13 and working with other members of the company, to dealing with operations.

14 **MR. GILDERSLEEVE:** Mr. Guillot, can you take a look at the exhibits before
15 you? You should see what has been marked as Exhibit A1, which is the company's
16 balance sheet and statement of operations for 2022 and 2023. Do you see that
17 document?

18 **MR. GUILLOT:** Where is it again? Oh, I see it. Yeah. I do see it, yes.

19 **MR. GILDERSLEEVE:** Can you take a look at that document and tell us if that
20 was something that was prepared by you or at your direction?

21 **MR. GUILLOT:** Yes.

22 **MR. GILDERSLEEVE:** It was?

23 **MR. GUILLOT:** It was prepared by me.

1 **MR. GILDERSLEEVE:** And is it accurate?

2 **MR. GUILLOT:** It is accurate, yes.

3 **MR. GILDERSLEEVE:** I also want you to take a look at what has been marked

4 as Exhibit C, it should be on the witness stand before you. It should be the first

5 quarter financials for this year.

6 **MR. GUILLOT:** Okay.

7 **MR. GILDERSLEEVE:** Can you identify Exhibit C as being just that, first

8 quarter financial data for this year?

9 **MR. GUILLOT:** Yes.

10 **MR. GILDERSLEEVE:** Okay. And is this a document that was prepared by you

11 or at your direction?

12 **MR. GUILLOT:** Yes. It was prepared by me.

13 **MR. GILDERSLEEVE:** Is it an accurate depiction of the company's financial

14 status?

15 **MR. GUILLOT:** Correct. It is accurate.

16 **MR. GILDERSLEEVE:** Okay. Without going through each one of these

17 documents line by line, can you give a general overview of the company's financial

18 status?

19 **MR. GUILLOT:** Financially, the company is very stable. Most of our -- well, our

20 working capital is provided by just our operating revenue, our profits from our

21 company. We don't need much debt and we pretty much supply our operations

22 through just working capital.

1 **MR. GILDERSLEEVE:** Okay. I understand that you usually fund operations
2 from working capital, but if there was an instance where you needed additional
3 capital to fund new or expanding operations, do you have the ability to do that?

4 **MR. GUILLOT:** Yes. We utilize the -- we have a relationship with two banks,
5 which have open line of credits, and the availability -- we have good relationships
6 to where they would lend money, if needed.

7 **MR. GILDERSLEEVE:** Okay. Has there been any material change in the
8 company's financial position since the documents depicted in Exhibit A1 and
9 Exhibit C were prepared?

10 **MR. GUILLOT:** No.

11 **MR. GILDERSLEEVE:** Are there any liabilities aware of -- extensive liabilities
12 aware of in the future that would affect the company's financial stability?

13 **MR. GUILLOT:** No.

14 **MR. GILDERSLEEVE:** Has the applicant ever filed for bankruptcy?

15 **MR. GUILLOT:** No.

16 **MR. GILDERSLEEVE:** Have any affiliates of the applicant ever filed for
17 bankruptcy?

18 **MR. GUILLOT:** No.

19 **MR. GILDERSLEEVE:** Is the applicant current on all of its state and federal tax
20 filings?

21 **MR. GUILLOT:** Yes.

22 **MR. GILDERSLEEVE:** Is this also true for affiliates of the applicant, they're
23 current on their federal and state tax filings?

1 **MR. GUILLOT:** Yes.

2 **MR. GILDERSLEEVE:** Has the applicant ever been subject to a federal or state
3 tax audit?

4 **MR. GUILLOT:** No.

5 **MR. GILDERSLEEVE:** Same question for affiliates, have they ever been subject
6 to federal or state tax audits?

7 **MR. GUILLOT:** No.

8 **MR. GILDERSLEEVE:** That's all the questions I have for this witness, Your
9 Honor. I tender for cross-examination.

10 **JUDGE FREY:** Thank you. Mr. Rachal.

11 **CROSS-EXAMINATION BY MR. PAUL RACHAL**

12 **MR. RACHAL:** Good afternoon. Are the trucks owned free and clear of any
13 encumbrances?

14 **MR. GUILLOT:** Correct. Yes.

15 **MR. RACHAL:** Has the company ever been unable to meet payroll?

16 **MR. GUILLOT:** No.

17 **MR. RACHAL:** And you mentioned the company has a relationship with two
18 banks. Can you tell us what two banks those are?

19 **MR. GUILLOT:** Hancock Whitney Bank and Synergy Bank.

20 **MR. RACHAL:** And who is the CPA of the company?

21 **MR. GUILLOT:** Me. I'm the internal CPA. We do have an external CPA as
22 well.

23 **MR. RACHAL:** And can you give us his name?

1 **MR. GUILLOT:** Charles Theriot & Company in Houma, Louisiana. That's who
2 I used to work for.

3 **MR. RACHAL:** And you might have mentioned this earlier, but what are your
4 day-to-day duties with the company?

5 **MR. GUILLOT:** It varies, but just maintain the financial stability, like just
6 overview financials, the ins and outs of the checking, I assist HR in payroll, and
7 just any type of numerous things that might pop up.

8 **MR. RACHAL:** And you might have already mentioned this, too, but is the
9 company up to date on tax returns?

10 **MR. GUILLOT:** Yes. Our current return is on extension.

11 **MR. RACHAL:** That's all the questions I have, Your Honor.

12 **JUDGE FREY:** Just one general question. Do you believe that the applicant has
13 the financial wherewithal to applicate the authority, if granted, in a safe and
14 efficient manner?

15 **MR. GUILLOT:** Absolutely.

16 **JUDGE FREY:** I have nothing further. Any redirect?

17 **MR. GILDERSLEEVE:** No, Your Honor.

18 **JUDGE FREY:** Thank you. You may step down.

19 **MR. GUILLOT:** Thank you.

20 **MR. GILDERSLEEVE:** All right, Your Honor. Next we call Michael Joiner.

21 **Michael Joiner came forth as a witness; and, after having been duly sworn,**
22 **testified as follows:**

23 **DIRECT EXAMINATION BY MR. TOMMY GILDERSLEEVE**

1 **MR. GILDERSLEEVE:** All right. Mr. Joiner, can you state your full name and
2 business address?

3 **MR. MICHAEL JOINER:** Michael Alan Joiner, 512 Dudley Bernard Road,
4 Fourchon, Louisiana 70357.

5 **MR. GILDERSLEEVE:** And tell us about your background in terms of education
6 and work experience.

7 **MR. JOINER:** Eight years with Tri-State, three years current operations of
8 Fourchon.

9 **MR. GILDERSLEEVE:** You're a high school graduate?

10 **MR. JOINER:** Yes, sir.

11 **MR. GILDERSLEEVE:** You said you're with Tri-State Environmental, but can
12 you tell us specifically what your role at Tri-State Environmental is, what your title
13 is, and what that job duty entails?

14 **MR. JOINER:** Operations at Fourchon, my duties entail of ensuring the boats are
15 loaded and unloaded from the Gulf of Mexico for the platforms that we service,
16 production platforms, and ensuring that the equipment holds the proper
17 maintenance, and scheduling the maintenance to be done, which is done by a third-
18 party company -- or the manufacturing company, I'm sorry.

19 **MR. GILDERSLEEVE:** So you're responsible for the maintenance of your
20 equipment, including trucks today, correct?

21 **MR. JOINER:** Yes.

22 **MR. GILDERSLEEVE:** And if this authority is granted, you will be responsible
23 for the maintenance of the trucks that haul the waste, correct?

1 **MR. JOINER:** Yes.

2 **MR. GILDERSLEEVE:** I think this has been addressed earlier, but can you
3 please, just to confirm, tell us how many truck drivers Tri-State currently has?

4 **MR. JOINER:** Six.

5 **MR. GILDERSLEEVE:** And those are all Louisiana drivers, correct?

6 **MR. JOINER:** Yes, sir.

7 **MR. GILDERSLEEVE:** And I believe Mr. Gisclair testified that the applicant is
8 prepared to hire additional drivers, if there's a business justification; is that correct?

9 **MR. JOINER:** That is correct.

10 **MR. GILDERSLEEVE:** Who conducts the maintenance on your trucks today?

11 **MR. JOINER:** So the trucks are Kenworth T-880s, '25 models. That will be
12 conducted at the manufacturer in Houma, the Kenworth facility. And the vacuum
13 pumps are serviced by Nu-Gen, which is in Port Allen. And the vacuum trailers
14 are done by EXA Trailers.

15 **MR. GILDERSLEEVE:** And you said that's how the maintenance is conducted
16 to date. Is that how you anticipate that the maintenance will continue to be
17 conducted in the future, if this authority is granted, as to trucks hauling waste?

18 **MR. JOINER:** Yes, sir.

19 **MR. GILDERSLEEVE:** Okay. In addition to these third parties that conducts
20 maintenance on your vehicles, do you do any internal maintenance?

21 **MR. JOINER:** No.

22 **MR. GILDERSLEEVE:** Okay. Is all of your equipment on a preventative
23 maintenance program recommended by the manufacturer?

1 **MR. JOINER:** It is. All the Kenworths are done on a 5,000-mile operation, and
2 the vacuum pumps will be done on a 1,000-hour service program.

3 **MR. GILDERSLEEVE:** I'll limit this to trucks and trailers, transportation
4 equipment. Is all of that equipment in good working order?

5 **MR. JOINER:** Yes, it is all actually new equipment, 2018 and newer. The trucks
6 their self are '25 models.

7 **MR. GILDERSLEEVE:** Okay. And just for completeness, aside from
8 transportation equipment, do you maintain the company's general equipment in
9 good working order?

10 **MR. JOINER:** Yes.

11 **MR. GILDERSLEEVE:** And you're the one that's responsible for that, correct?

12 **MR. JOINER:** Yes.

13 **MR. GILDERSLEEVE:** You talked about the maintenance. Can you clarify a
14 little bit about the maintenance that's done on trailers versus maintenance that is
15 done on the trucks themselves?

16 **MR. JOINER:** So the trailers their self go through a pressure test procedure, a
17 visual inspection, and a diapin inspection.

18 **MR. GILDERSLEEVE:** I have no further questions for this witness, Your Honor.

19 **JUDGE FREY:** Thank you. Mr. Rachal?

20 **CROSS-EXAMINATION BY MR. PAUL RACHAL**

21 **MR. RACHAL:** Thank you. What is the number of trucks the company has right
22 now?

1 **MR. JOINER:** We have possession of one, one is being rigged out, the third one
2 is still at the manufacturer being assembled.

3 **MR. RACHAL:** And do you know what type of truck the one that is owned by
4 the company is?

5 **MR. JOINER:** It is a 2025 Kenworth T-880.

6 **MR. RACHAL:** And it's owned -- or is it owned or leased?

7 **MR. JOINER:** It's owned by Tri-State Transportation, leased to Environmental.

8 **MR. RACHAL:** And you might have mentioned some of the maintenance
9 schedule. Is it a weekly, post-trip, monthly?

10 **MR. JOINER:** So the -- it's a pre-trip every day, a visual inspection, pre- and
11 post-job, and then maintenance is done by the recommended hours.

12 **MR. RACHAL:** And you also mentioned third parties. Can you go through the
13 third parties the company uses for the trucks or for the equipment in general?

14 **MR. JOINER:** So the trucks are done by Kenworth. Nu-Gen is one of the third-
15 party companies that service our vac units, and we use EXA for the service and
16 work on trailers.

17 **MR. RACHAL:** Can you spell -- do you know --

18 **MR. JOINER:** Nu-Gen?

19 **MR. RACHAL:** No, EXA.

20 **MR. JOINER:** EXA? E-X-A.

21 **MR. RACHAL:** And are there GPS systems in the trucks?

22 **MR. JOINER:** Yes.

23 **MR. RACHAL:** And are there cameras in the trucks?

1 **MR. JOINER:** They are being rigged now. The trucks are limited and restricted
2 by speeds, which is restricted to 69, and is all GPS monitored of where the truck is
3 at all times.

4 **MR. RACHAL:** Will the company utilize owner-operators under lease?

5 **MR. JOINER:** No.

6 **MR. RACHAL:** That's all the questions I have, Your Honor.

7 **JUDGE FREY:** Just a couple clarifying questions. With regard to the cameras,
8 you're said they're being fitted; is that correct?

9 **MR. JOINER:** Yes.

10 **JUDGE FREY:** And what type of cameras?

11 **MR. JOINER:** It will be a forward-facing camera for, you know, it will monitor
12 the driver. It will see what he sees at all times.

13 **JUDGE FREY:** And you mentioned that the trailers, something that sounded like
14 diapin inspection. Can you spell that and explain what it is?

15 **MR. JOINER:** Diapin is D-I-A-P-I-N and what that is, that is a inspection that is
16 done on the welds to check the integrity of the trailer itself.

17 **JUDGE FREY:** How many -- and I apologize if you covered this. How many
18 vacuum units are you going to be using initially for transportation of regulated
19 waste?

20 **MR. JOINER:** As of right now, it'd be three, with potential to add more if business
21 allows.

22 **JUDGE FREY:** And that's separate and apart from trailers you mentioned; is that
23 correct?

1 **MR. JOINER:** Well, that's truck and trailers together, so there'd be three trucks,
2 three trailers.

3 **JUDGE FREY:** Okay. I don't have anything further. Do you have any follow-
4 up, Mr. Gildersleeve?

5 **MR. GILDERSLEEVE:** No, Your Honor.

6 **JUDGE FREY:** Thank you. If there is nothing further, you may step down, Mr.
7 Joiner.

8 **MR. GILDERSLEEVE:** All right, Your Honor. That concludes the presentation
9 of our case.

10 **JUDGE FREY:** All right. Commission Staff?

11 **MR. RACHAL:** Your Honor, Staff supports this application. The applicant has
12 satisfied the fitness requirements and they have no compliance issue and the
13 company is in good standing with the Commission.

14 **JUDGE FREY:** Thank you. If there is nothing further, this hearing is adjourned.
15

16 **(WHEREUPON, THE HEARING WAS ADJOURNED)**
17

1 I hereby certify that the foregoing pages 1 through 38 are true and correct to the best
2 of my knowledge of the Hearing held on June 11, 2024 in Baton Rouge, Louisiana.

3

4 **Rough Draft by:**

5 Kayla Fiorenza

June 12, 2024

6 Kayla Fiorenza,
7 Court Reporter

Date

8 **Proofed by:**

9 Clarisa Findley

June 13, 2024

10 Clarisa Findley,
11 Court Reporter

Date

12 **Finalized by:**

13 Kayla Fiorenza

June 13, 2024

14 Kayla Fiorenza,
15 Court Reporter

Date